

11-038103

AF

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/813,775
		Filing Date	MARCH 20, 2001
		First Named Inventor	FREDERIC DeSAUVAGE
		Group/Art Unit	1653
		Examiner Name	KAM, CHIH MIN
Total Number of Pages in This Submission	15	Attorney Docket Number	39766-0057 CP2

TECH CENTER 1600/2900
NOV 07 2003

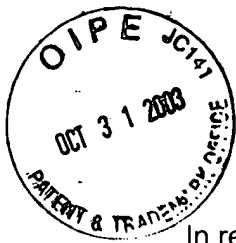
RECEIVED

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> AMENDMENT / RESPONSE <input checked="" type="checkbox"/> AFTER FINAL <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, by Assignee to Exclusion of Inventor Under 37 C.F.R. §3.71 With Revocation of Prior Powers <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosure(s) (please identify below): <input checked="" type="checkbox"/> STAMPED RETURN POSTCARD
Remarks		
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39766-0057 CP2.		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual name	HELLER EHRMAN WHITE & McAULIFFE LLP		LESLIE A. MOOI (Reg. No. 37,047)
	275 Middlefield Road, Menlo Park, California 94025		Telephone: (650) 324-7000 Facsimile: (650) 324-0638
Signature	<i>Leslie Mooi</i>		
Date	October 31, 2003	Customer Number:	25213

CERTIFICATE OF EXPRESS MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP AF , Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: October 31, 2003			
Express Mail Label EL 976 543 125 US			
Typed or printed name	C. FONG		
Signature	<i>C. Fong</i>	Date	October 31, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ____, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Kam, Chih Min
Frederic DeSAUVAGE, et al.) Art Unit: 1653
Application Serial No. 09/813,775) Attorney's Docket No. 39766-0057 CP2
Filed: March 20, 2001) Customer No. 25213
For: NOVEL CHIMPANZEE)
ERYTHROPOIETIN (CHEPO))
POLYPEPTIDES AND NUCLEIC)
ACIDS ENCODING THE SAME)

EXPRESS MAIL LABEL NO. EL 976 543 125 US
Date Mailed: OCTOBER 31, 2003

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed on September 12, 2003 (Paper No. 19), please consider the following arguments. The following amendments are being made to place the application in condition for allowance.

RECEIVED
NOV 07 2003
TECH CENTER 1600/2900